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U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON

9 STATE OF WASHINGTON,
10 DEPARTMENT OF ECOLOGY,

11 Plaintiff,

12 v.

13 UNITED STATES
14 DEPARTMENT OF ENERGY,

Defendant.

NO. CT-99-5076-EFS

SECOND AMENDMENT TO
CONSENT DECREE

15 WHEREAS, on September 29, 1999, the Court entered a Consent Decree
16 in which Plaintiff State of Washington, Department of Ecology ("State") and
17 Defendant United States Department of Energy ("DOE") agreed to resolve
18 potential litigation between the State and DOE regarding certain missed
19 milestones as well as other remaining milestones in the Hanford Federal
20 Facility Agreement and Consent Order ("HFFACO") (entered May 15, 1989) in
21 the interim stabilization series (M-41) and to establish a judicially enforceable
22

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SECOND AMENDMENT TO
CONSENT DECREE - 1

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1 schedule for pumping liquid radioactive hazardous waste from single-shell
2 tanks as identified in the schedule in Section IV-A of the Consent Decree;

3 WHEREAS, on September 29, 2000, the Court entered the First
4 Amendment to the Consent Decree, adding certain additional provisions
5 pertaining to awarding a contract for design and construction of a waste
6 treatment and vitrification Complex;

7 WHEREAS, the schedule in Section IV-A of the Consent Decree is fully
8 set forth in Attachment A to the Consent Decree, and requires that "[n]o later
9 than December 30, 2000, DOE will determine whether the organic layer and
10 pumpable liquids will be pumped from Tank C-103 together or separately, and
11 will establish a deadline for initiating pumping of this tank"; and

12 WHEREAS, on December 20, 2000, DOE determined that the bulk of the
13 separable organic layer in Tank C-103 will be transferred separately from the
14 other pumpable liquids and established a deadline of April 30, 2003 for
15 initiating pumping of Tank C-103,

16 NOW THEREFORE, it is hereby ordered, adjudged, and decreed as
17 follows: The provisions of Attachment A to the Consent Decree pertaining to
18 Tank C-103 are hereby deleted and replaced with the following:

19

Tank Designation	Pumping Initiated	Projected Pumping Completion Date
20 29. C-103	April 30, 2003	December 30, 2003

21
22